

Attorney Docket:

117163-00088

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Thong, et al

Examiner: Unknown

Serial No.: 10/666,752

Art Unit:

3753

Filed: 18 September 2003

Date:

2 February 2004

DEVICE WITH REDETECTION THERAPY THRESHOLD

Commissioner of Patents P.O. Box 1450 Alexandria, VA 22313-1450

TRANSMITTAL

Transmitted herewith:

- Information Disclosure Statement 1)
- PTO-1449 Form 2)
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HAHN LOESER + PARKS LLP

David J. Muzilla Reg. No. 50,914

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United State Postal Service as on the date shown below and addressed to the: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Thong, et al.

Examiner:

Unknown

Serial No:

10/666,752

Art Unit: 3753

For:

Device with Redetection Therapy Threshold

Filed:

18 September 2003

Date: 2 February 2004

Commissioner of Patents and Trademarks Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Under 37 CFR 1.97

This Information Disclosure Statement is filed more than three months after the patent application, but is before an action on the merits, so it is timely filed without payment of a fee. 37 CFR §1.97. Further, it is timely filed in that it is filed to report references, some of which first came to the attention of the applicant through a foreign search report made within the last three months.

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made (37 CFR §1.56(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13, at 25.

This Information Disclosure Statement is made to comply with the duty of candor imposed on all individuals associated with the filing or prosecution of this application, as defined by 37 CFR §1.56(c).

Three (3) U.S. patents and one (1) foreign patent document are listed on the attached one(1) sheet of Form PTO/SB/08A which is made a part hereof. A copy of each is enclosed. Also enclosed, but not listed on the form, is a copy of a PCT search report dated December 11, 2003 from the European Patent Office on application PCT/EP 03/10407, which claims priority from the same U.S. provisional application from which this US non-provisional application claims priority.

Foreign Reference BA is in English. References AB and AC share a common inventor with this US application and are commonly owned.

The foregoing Information Disclosure Statement is based upon the information known to the inventor or contained in the undersigned agent's file as of the filing date of this statement and is inclusive of the best information known to each of the undersigned at that date. Prompt consideration of the Information Disclosure Statement and the references by the Examiner is earnestly requested.

Respectfully submitted,

David J. Muzilla Reg. No. 50,914

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Atty. Docket: 117163-88

PTO/SB/08a (08-03)

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	<i>\$</i> /			Application Number	10/667.52		
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	STATEMENT BY AP			First Named Inventor	Thong, et al		
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	(Use as many sheets as nec	essary)	Examiner Name	Unknown		
Sheet	1	of	1	Attorney Docket Number	117163-00088		

			U. S. PATENT	DOCUMENTS	
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ^{2 (if known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	^{US-} 5,251,626	10/12/1993	Nickolls, et al	
	AB	^{US-} 6035232	03/07/2000	Thong, et al	
	AC	^{US-} 6,339,724	01/15/2002	Thong	
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FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No.1	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (<i>if known</i>)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶	
	BA	EP 0597 459	05/18/1994	Akhtar			
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Examiner	 	Date	
Signature		Considered	Į.

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.